

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

VICTORIA YORDANOVA,

Plaintiff,

v.

AIRBNB, INC.,

Defendant.

CIVIL ACTION NO. _____

DEFENDANT AIRBNB, INC.'S NOTICE OF REMOVAL

**TO THE HONORABLE JUSTICE OF THE UNITED STATES DISTRICT COURT FOR
THE DISTRICT OF MASSACHUSETTS:**

Petitioner, Airbnb, Inc. ("Airbnb"), respectfully shows this Court:

1. The Petitioner is the Defendant in the above-entitled action.
2. On or about June 30, 2021, the Plaintiff, Victoria Yordanova, commenced an action against Airbnb in the Norfolk Superior Court captioned *Victoria Yordanova v. Airbnb, Inc.*, Civil Action No. 2182CV00610.
3. Airbnb was served with a Summons, Complaint, Civil Action Cover Sheet, and Jury Demand ("the Complaint"), through certified mail. The correspondence forwarding the Complaint is dated July 15, 2021. The complaint was served on Airbnb on July 19, 2021. *See* Return Receipt of Certified Mail, attached as "C" to Affidavit of Service, attached hereto as Exhibit 3.
4. By filing this notice of removal, Airbnb reserves all claims and defenses, including, without limitation, those set forth in Fed. R. Civ. P. 12(b). Such claims and defenses include, but are not limited to, those related to personal jurisdiction or dismissal. *See In re Lupron Mktg. & Sales Practices Litig.*, 245 F. Supp. 2d 280, 302 (D. Mass. 2003)

(noting that a removal from state to federal court does not waive the right to object to a lack of personal jurisdiction).

5. Airbnb will also send a copy of this Notice of Removal to the Clerk of the Norfolk Superior Court.
6. No proceedings have been had in the Norfolk Superior Court.
7. The citizenships of the Plaintiff and the Defendant are completely diverse. The Plaintiff, Victoria Yordanova, is a resident of the Commonwealth of Massachusetts with an address of 83 Woodside Avenue, Wellesley, Norfolk County, Massachusetts. The Defendant, Airbnb, is a Delaware Corporation with a principal place of business at 888 Brannan Street, San Francisco, California. *See* Articles of Incorporation, attached as Exhibit A to the Affidavit of Thomas B. Farrey, III in Support of this Notice of Removal.
8. The above action is a civil action arising out of the alleged attempted abduction of Plaintiff on October 4, 2018 in Barcelona, Spain. *See* Plaintiff's Compl. ¶¶ 15, 20-27, 38-42, attached hereto as Exhibit 1.
9. The amount in controversy for the claim against Airbnb, exclusive of interests and costs, is in excess of Seventy-Five Thousand (\$75,000.00) Dollars. The Plaintiff's Civil Action Cover Sheet to the Complaint filed in the Norfolk Superior Court includes a Statement of Damages alleging medical expenses in an amount "exceeding \$80,000." In addition to her claims for medical expenses, Plaintiff contends that she (1) "lost the fair and reasonable value of a semester of college credit" because she was "unable to finish her college semester," (2) "required months of caretaking, which her parents took time off from work to perform," (3) "incurred travel expenses as a result of her prolonged hospital stay," (4) "has further endured extreme pain and suffering from both

physical injuries and mental trauma,” and (5) “missed school, [so] her earning capacity has been and will continue to be impaired.” *See* Exhibit 1; Plaintiff’s Compl. ¶ 60. *See Youtsey v. Avibank Mfg., Inc.*, 734 F. Supp. 2d 230, 233 (D. Mass. 2010) (“removing defendant . . . must demonstrate that there is a ‘reasonable probability’ that the amount in controversy exceeds \$75,000”).

10. This Court, therefore, has original jurisdiction of the above-entitled action pursuant to 28 U.S.C. sec. 1332, and removal of this action to this Court is proper, pursuant to 28 U.S.C. sec. 1441.
11. Copies of the Plaintiff’s Complaint, the Civil Action Coversheet (with its attachment), and Affidavit of Service filed with the Norfolk Superior Court are attached hereto and marked Exhibit 1, Exhibit 2, and Exhibit 3, respectively.
12. This Petition is filed with the Court within thirty (30) days of the Petitioner’s receipt of the Summons and Complaint served in this action. *See* Exhibit 3.
13. In compliance with 28 U.S.C. sec. 1446(d), the Petitioner will give written notice of the filing of the Notice of Removal to all adverse parties and will file a copy of the Notice of Removal with the Clerk for the Norfolk Superior Court.
14. Pursuant to Local Rule 81.1, Petitioner will file in this Court certified copies of all docket sheets and all documents filed in the Norfolk Superior Court, relative to the above-entitled matter.

WHEREFORE, the Petitioner, Airbnb, Inc., prays that the above-entitled action be removed from the Norfolk Superior Court to this Court.

Respectfully Submitted,
The Petitioner/Defendant,
Airbnb, Inc.,
By Its Attorneys,

/s/ Thomas B. Farrey, III

THOMAS B. FARREY, III/BBO# 159880

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CERTIFICATE OF SERVICE

I, THOMAS B. FARREY, III AND/OR GINA M. BONCI, hereby certify that I have this date mailed a copy of the within document, via first class mail postage prepaid to:

Joel E. Faller, Esquire
George A. McLaughlin, Esquire
The McLaughlin Brothers PC
One Washington Mall, 16th Floor
Boston, MA 02108

DATED: August 18, 2021

/s/ Thomas B. Farrey, III

THOMAS B. FARREY, III

GINA M. BONCI